

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In the Matter of the Complaint of  
TUTOR-SALIBA/KOCH/TIDEWATER JV,

No. C 05-04044 WHA

Plaintiff,

**ORDER**

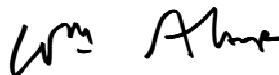
For Exoneration from or Limitation of  
Liability.

If plaintiff has not resolved completely all state-court proceedings related to the above-captioned case by September 28, 2006, they shall notify the Court of that fact by noon, September 29. The Court will then set a status conference. At present, the Court believes that it would lift the abatement of the instant action if the state action is not resolved by then.

This order supercedes the portion of the order of December 12, 2005, that stated that the above-captioned case would be abated until the San Francisco Superior Court action *Brusseau v. Tutor-Saliba/Koch/Tidewater*, No. 05-440193, is tried to final judgment or otherwise resolved. The rest of the December 12 order remains in force, including the requirement that plaintiff's counsel submit status reports on *Brusseau v. Tutor-Saliba/Koch/Tidewater* every three months.

**IT IS SO ORDERED.**

Dated: January 6, 2006

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

**United States District Court**  
For the Northern District of California

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